IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 4120 of 2002

Between:

Yadaiah S/o. Isthary,
R/o. The Mother Dairy, Hayathnagar,

Ranga Reddy District.

..... PETITIONER

AND

1. The State of AP., rep. by its Secretary,

Finance and Planning Department,

Secretariat Buildings, Hyderabad.
2. The State of A.P. rep. by its Secretary,

Agricultural Department,

Secretariat Buildings, Hyderabad.
3. The A.P. Dairy Development Corporation Federation Ltd.,

rep.by its Vice Chairman and Managing Director, Lalapet, Hyderabad.
4. The Mother Dairy, rep. by its General Manager,

Hayathnagar Ranga Reddy District.
5 The State of AP., rep. by its Secretary,

Legislative Affairs Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus

declaring the Act 27/1998 (Finance and Planning Dept) issued by the 5th respondent is illegal, arbitrary and GOMs.212, F&P, dt. 22.4.94 and declare the same as illegal, arbitrary, and contrary to the orders passed by the Hon'ble High Court as well as the Hon'ble Supreme Court and further direct the respondents to regularise the services of the petitioner in which post he is working from the date of his initial appointment.

Counsel for the Petitioner: MR.B.BHASKARA REDDY

Counsel for the Respondent Nos.3 & 4 : MR.N.RAJESWAR RAO

Counsel for the Respondent Nos.1, 2 & 5 : G.P. for Finance & Planning

The Court made the following

ORDER **(per the Hon'ble Sri Justice J. Chelameswar)**:

The learned counsel for the petitioner submits that the petitioner may be permitted to withdraw the writ petition, as it was already held by this Court in earlier proceedings that such a writ petition is not maintainable as against the third respondent- A.P. Dairy Development Corporation Federation Limited, with liberty to the petitioner to initiate appropriate proceedings as he is advised for agitating his rights which are pleaded before this Court.

The Writ Petition is accordingly dismissed as 'not pressed' with a liberty to the petitioner, as prayed for. No costs.

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J. CHELAMESWAR, J

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GODA RAGHURAM, J

7th October, 2004

Note: Issue CC in one week

B/o.

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To

1. The Secretary, The State of AP.,

Finance and Planning Department,

Secretariat Buildings, Hyderabad.
2. The Secretary, The State of A.P.,

Agricultural Department,

Secretariat Buildings, Hyderabad.
3. The Vice Chairman and Managing Director,

The A.P. Dairy Development Corporation Federation Ltd.,

Lalapet, Hyderabad.
4. The General Manager, The Mother Dairy,

Hayathnagar Ranga Reddy District.
5 The Secretary, The State of AP.,

Legislative Affairs, Secretariat, Hyderabad.

6. Two CCs to G.P. for Finance & Planning, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.